



DEPARTMENT OF THE ARMY
OFFICE OF THE JUDGE ADVOCATE GENERAL
2200 ARMY PENTAGON
WASHINGTON, DC 20310-2200

REPLY TO
ATTENTION OF:

06 MAR 2002

DAJA-ZA

MEMORANDUM FOR STAFF AND COMMAND JUDGE ADVOCATES AND LSO/MSO
COMMANDERS

SUBJECT: Army Standards of Conduct and Ethics Program - POLICY MEMORANDUM 02-02

1. **INTEGRITY** – doing what's right, legally and morally – is one of the Army core values. Consistent with this core value, the Ethics in Government Act of 1978, the Ethics Reform Act of 1989, the Office of Government Ethics regulations, and the *DOD Joint Ethics Regulation* (JER) establish the rules governing the conduct of all Army personnel -- Active and Reserve Component, military and civilian.
2. While commanders are responsible for the ethics program in their units, it is their judge advocates who typically shoulder the program's implementation. A unit's ethics program should be visible, include all required training, and ensure that required reports are timely submitted. Soldiers and employees should receive periodic reminders about the rules and must know that legal advice in interpreting those rules is available.
3. Providing standards of conduct advice requires maturity, experience, judgment, and interpersonal skills. Often the issues involve potential criminal sanctions for seemingly innocuous conduct or personal and emotional matters such as family investments, spousal employment, outside positions with nonprofit and other private organizations, and the employee's future employment. The employee may be reluctant to divulge the information needed for sound advice. Therefore, appoint Ethics Counselors (EC) who possess the maturity, experience, judgment, and interpersonal skills to handle these issues and to anticipate unstated issues.
4. You must personally oversee the Standards of Conduct and Ethics Program in your command or organization and ensure that the training, counseling, and opinions provided are complete, accurate, and sensible. Involve your junior lawyers in standards of conduct practice and appoint them as Assistant ECs. Remember, however, the EC appointments must be reserved for attorneys with the requisite qualifications and training, and the authority delegated to them must be consistent with their experience and ability.

5. Your command's ethics program should be visible and well publicized. Individual ethics program elements include --

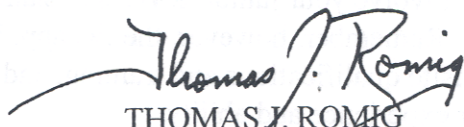
- ethics program structure and staffing
- public financial disclosure reporting systems
- confidential financial disclosure reporting systems
- ethics education and training
- ethics counseling and advice
- outside employment and activities, and
- post-Government employment counseling.

Reminders on aspects of the Government ethics rules should be published periodically. Your clients should know that counseling and advice, to include written opinions, are available.

6. Another aspect of ethics practice that demands your personal oversight is the filing of Financial Disclosure Reports. Ethics Counselor review ensures that the reports are clear, complete, and unambiguous. Public Financial Disclosure Reports (SF 278s) in particular have become far more complex over the years. That and the fact that these reports concerning our senior leaders have been subject to much more intense scrutiny mean your personal attention is required. Reserve Component judge advocates must be especially attentive because Reserve Component general officers often have substantial outside income and investments, as well as outside positions, to report.

7. Remember, in addition to providing complete information to avoid conflicts of interest and other ethics violations, the SF 278s are public reports subject to review by the media and the public. Please be diligent in ensuring all SF 278 reports are timely, accurate, and complete, but also free of non-required information (e.g., social security numbers, personal account numbers).

8. As President Bush stated in his 20 January 2001 memorandum on Standards of Official Conduct, we have a duty to the American people to maintain the highest standards of integrity and ethical conduct. I expect you to be leaders and set the example.



THOMAS J. ROMIG
Major General, U. S. Army
The Judge Advocate General